

Serial No. 09/524,408
Docket No.: YO 999-0598
YOR.168

REMARKS

Claims 3, 6, 12, 24, 27, 33, 40-46, and 48-58 are presently pending in the application. Claims 3, 6, 24, 27, 40, 46, and 50 have been amended to more particularly define the invention. Claims 56-58 have been added to assure Applicant the degree of protection to which his invention entitles him. Claims 5, 13, 26, 34, and 47 have been cancelled in the interest of expediting prosecution. Claims 1, 2, 4, 7-11, 14-23, 25, 28-32, and 35-39 were previously canceled.

THE 35 U.S.C. §112, SECOND PARAGRAPH, REJECTION

In the final rejection, claims 3, 6, 12 and 41 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This rejection is traversed.

With respect to claim 3, the Office Action contends that the term “the netlist modification is divided into a set of steps, each step addressing a specific aspect of the design space” is not clear, and asks for definitions of “set of steps” and “aspect of the design space.”

Claim 3 has been amended to recite that each step addresses “a specific domain” of the design space, rather than “a specific aspect of the design space,” thus overcoming that aspect of the rejection.

For consistency, the same amendment has been made to claim 24, even though that claim was not rejected on this basis.

A “set of steps” is just that. For example, the netlist modification might be divided

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into a first step involving, say, the physical domain, and then a second step involving, say, the Boolean domain. Thus, the first and second steps comprise a “set of steps.” More steps might be included in a set, depending upon the situation.

The *Random House Webster’s College Dictionary*, Second Edition, 1999, includes as a definition of “step” “any of a series of successive stages in a process or the attainment of an end.” A copy of this definition is attached. Thus, in claim 3 the netlist modification process is divided into a set of successive stages.

With regard to claim 6, the Office Action contends that the term “logical data” is not clear. This has been amended to “logical circuitry,” thus overcoming this rejection.

For consistency, the same amendment has been made to claim 27, even though that claim was not rejected on this basis.

With regard to claim 12, the Office Action contends that the terms “predetermined stages” and “implement” are not clear, and asks for a definition of “implement.”

As to “predetermined stages,” claim 40, from which claim 12 is dependent, states that under certain conditions, the claimed method continues by “returning to (a).” Claim 12 then adds that at predetermined stages of the method, whether to intercept the method and implement the most recently considered netlist modification and cell placement is selectively determined. Thus, for example, it may be decided in advance that if a satisfactory netlist modification and cell placement are not achieved after, say, five attempts, then, rather than again returning to (a), the result of the fifth attempt - - i.e., the most recently considered netlist modification and cell placement - - is to be implemented. In such instance, the predetermined stage is the fifth attempt.

As to “implement,” claim 40, from which claim 12 is dependent, states that under certain conditions, the claimed method continues by “implementing the considered netlist modification and the considered cell placement.” Claim 12 merely sets out another condition that leads to “implementing the considered netlist modification and the considered cell placement.”

The *Random House Webster’s College Dictionary*, Second Edition, 1999, includes as a definition of the verb “implement” “to put into effect according to a definite plan or procedure.” A copy of this definition is attached. Thus, in claim 12 at predetermined stages it is selectively determined whether to intercept the method and put into effect the most recently considered netlist modification and cell placement.

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejection under 35 U.S.C. §112, second paragraph.

THE 35 U.S.C. §102(e) REJECTION

In the final rejection, claims 3, 6, 12, 24, 27, 33, 40-46 and 48-55 were rejected under 35 U.S.C. §102(e) as anticipated by Shenoy, U.S. Patent No. 6,378,114, with the identical discussion that was provided in the previous Office Action. This rejection is respectfully traversed.

Prior to the present Amendment, elements (c) and (d) of claim 40 read:

“(c) determining whether the considered netlist modification and the considered cell placement improve the design space; and

“(d) if the considered netlist modification and the considered cell placement improve the design space, implementing the considered netlist modification and the considered cell placement, but if the considered netlist

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modification and the considered cell placement do not improve the design space, returning to (a).”

The final rejection argues that optimization in [and presumably also improvement of] a single domain will simultaneously affect the other domains. This appears to challenge whether a netlist modification and cell placement can improve the design space.

By the above amendments, it is brought out that it is determined whether the considered netlist modification and the considered cell placement improve at least one domain of the design space, while leaving all other domains of the design space satisfactory. For example, if a netlist modification and cell placement improve, say, timing by 3 ps, but decrease the spare space by five percent, that still may be considered an improvement in the design space, even though the spare space is decreased, so long as the reduced spare space is within a satisfactory amount.

The final rejection contends that elements (c) and (d) of claim 40 are: “disclosed by Shenoy at column 1, line 54 ‘several iterations... to optimize... each of these stages is highly dependent on the results of the other stages... the overall design might sometimes be worse in a successive iteration’, and at column 3, line 32 ‘after cell separation is performed, the netlist is tweaked to optimize the design’. The final rejection applies the same reasoning in rejecting independent claims 46 and 50.

The above partial quotation from Shenoy’s column 1 omits a significant part of Shenoy’s teaching. The full passage reads:

“Often, several iterations of the design, layout, and testing process are required in order to optimize the semiconductor chip’s size, cost, heat output, speed, power consumption, and electrical functionalities. However, one problem is attributable to the fact that each of these stages is highly dependent on the results of the other stages. A minor alteration in one stage intended to

enhance one characteristic may cause unforeseen problems to occur in other stages. For example, changing a cell in the synthesis stage might drastically alter the current place and route. It is this high degree of interdependence which makes it extremely difficult to predict and account for the consequences associated with any changes. Indeed, the overall design might sometime be worse in a successive iteration.” [Emphasis added.]

Shenoy thus teaches that several iterations of a process that includes layout and testing may be required. In each iteration, including layout and testing, if it is found that the result is not satisfactory, the process is started over, wasting the time, material, and expense of the layout and testing.

At column 3, lines 35-41, Shenoy states:

“In the past, the area in which the IC is to be placed was typically held constant. In contrast, the present invention allows the area to change in size (i.e., either grow or shrink). Should the area grow to exceed a pre-defined allocation, the present invention will automatically generate a message to indicate this condition to the user.” [Emphasis added.]

Thus, Shenoy states that when the change causes a problem, the user is notified. The user must then take action, either to undertake a new design, layout, and testing process or to override the message and accept design with the problem.

In contrast, the present invention if the considered netlist modification and considered cell placement do not improve at least one domain of the design space, while leaving all other domains of the design space satisfactory, a different possible netlist modification for the design space is considered, along with a cell placement for this modified design space. Thus, the time, effort, and expense of implementing a netlist modification and cell placement that are unsatisfactory are avoided.

The final rejection ignores, and does not respond to, the argument presented in the

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previous amendment that the considered netlist modification and cell placement are not implemented until and unless it is determined that they improve the design space. As can be seen, this distinguishes in an unobvious manner from Shenoy.

The above amendments to independent claims 40, 46, and 50 make clear that the claimed invention involves determining whether the considered netlist modification and the considered cell placement improve at least one domain of the design space, while leaving all other domains of the design space satisfactory. The above amendments to independent claims 40, 46, and 50 also make clear that in accordance with the claimed invention determining whether the considered netlist modification and the considered cell placement improve at least one domain of the design space, while leaving all other domains of the design space satisfactory takes place before implementing the considered netlist modification and the considered cell placement.

This distinguishes over Shenoy in which each iteration includes layout and testing.

It is accordingly submitted that independent claims 40, 46, and 50 distinguish patentably from Shenoy and are allowable, as are their respective dependent claims.

CONCLUSION

In view of the foregoing, Applicant submits that claims 3, 6, 12, 24, 27, 33, 40-46, and 48-58, all the claims presently pending in the application, are patentably distinct over the prior art of record and are allowable, and that the application is in condition for allowance. Such action would be appreciated.

Should the Examiner find the application to be other than in condition for allowance,

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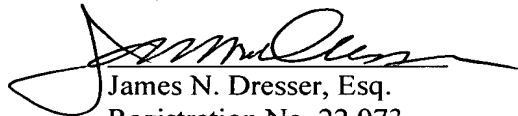
the Examiner is requested to contact the undersigned attorney at the local telephone number listed below to discuss any other changes deemed necessary for allowance in a telephonic or personal interview.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR §1.136. The Commissioner is authorized to charge any deficiency in fees, including extension of time fees, or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date: April 4, 2005

McGinn & Gibb, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254

Respectfully Submitted,


James N. Dresser, Esq.
Registration No. 22,973



RANDOM HOUSE WEBSTER'S COLLEGE DICTIONARY

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0-30; < LL *imperatīvus* < L *imperāre*, e. command; see *EMPEROR*. — *im-pet-ness*, *n.*

-rā'tōr, -rā'tōr, *n.* 1. (in imperial Rome) a temporary title accorded a *princeps imperator*; see *EMPEROR*. — *im-per-a-to-ri-al-ly*, *adv.* — *im-per-a-to-ri-al-ty*, *n.* 1. very slight, gradual slope of the road. 2. not perceived by eye; < ML. — *im-per-cep-ti-bil-i-ty*, *n.* — *im-per-cep-ti-bly*, *adv.* — *im-per-cep-tiv*, *adj.* not perceptive. [1655-65]

im-per-cept-iv, *adj.* imperceptive. [1805-15]

adj. 1. of, pertaining to, or characterizing imperfect vision. 2. lacking completeness or designating a verb tense or form repeatedly or continuing action or state in progress at a point of reference in which they used to speak or "they were" in law. 5. (of a flower) having either — *n.* 6. the imperfect tense. 7. a verb form 00-50; ME *imparfit* < MF *imparfit* < L *n-perfect-ly*, *adv.* — *im-perfect-ness*, *n.* a fungus for which only the asexual spores of any fungus of the Fungi Imperfecti (*Ascomycota*); *n.* 1. fault; flaw. 2. the quality of 350-1400; ME < LL. — *im-perfect-ly*, *adv.* — *im-perfect-ness*, *n.*

k'tiv, *adj.* 1. of or noting an aspect of the act. 3. a verb in this aspect. — *im-per-fer-ri-tū*, *adj.* 1. Also, *im-per-fer-ri-tū* (m) lacking perforations. (1665-75)

adj. 1. of, pertaining to, or characterizing 2. characterizing the rule or authority of dependencies. 3. of a commanding quality. 5. of special or superior size or quality, conforming to the nonmetric standards of Britain. — *n.* 7. a member of an imperial. 8. an emperor or empress. 9. an artifact [1325-75; ME *imperial* < MF *imperial* < L *imperial* < *im-per-fer-ri-tū*, *n.* a small, pointed beard beneath the imperial, *n.* use of fem. of *imperial* (to be worse such a beard)]

im-per-ial, *adj.* 1. the policy of extending the empire or nation over foreign countries, colonies and dependencies. 2. advocacy of imperial system of government. [1855-60]

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sequence: *Malfunctioning of one part of the nervous system* another part. 4. Archaic. to fold or twist together; inter 40; < L *implicare* to interweave = *im-* + *placere* to

im-pil-ca-tion (im'pli kă'shan), *n.* 1. something im-gested as naturally to be inferred or understood: an *im-honesty*. 2. the act of implying. 3. the state of being relation between two propositions such that the seco when the first is true. 5. the act of implicating. 6. the implicated. 7. a likely relationship: the religious *imp-licent astrology*. [1400-50; late ME < L] — *im-pil-ca-tiv*

im-plic-it (im'plis'it), *adj.* 1. not expressly stated; *im-agreement*. 2. unquestioning; absolute: *implicit trust*. contained; inherent: the drama *implicit in the occasio* < L *implicitus* involved, obscure, var. ptp. of *implicare* — *im-plic-it-ly*, *adv.* — *im-plic-it-ness*, *n.*

im-plod-e (im'plōd'), *v.* — *plod-ed*, *plod-ing*. — *v.t.* 1. (opposed to *explode*). — *v.t.* 2. to pronounce (a cons plosion. [1880-85; *im-* + (*ex*) *plodere*

im-plor-e (im'plōr', -plōr'), *v.* — *plor-ed*, *plor-ing*. — *v.g.* gently or piteously; beseech: They *implored him* to be gently or piteously for: *implore forgiveness*. — *v.t.* 3. to piteous supplication. [1530-40; < L *implorare* = *im-* to lament] — *im-plor-ing-ly*, *adv.*

im-plor-sion (im'plōr'shən), *n.* 1. the act of imploding ward. 2. the ingressive release of a suction stop. Cf [1875-80; *im-* + (*ex*) *plor-sion*] — *im-plor-sive* (-siv), *adj.*

im-ply (im'pli'), *v.t.* — *plied*, *ply-ing*. 1. to indicate out being explicitly stated. 2. to involve as a necessary Speech *implies a speaker*. 3. Obs. to enfold. [1325-75; *plier* < L *implicare*] — *Usage*. See *INFER*.

im-po-lite (im'pōl'it), *adj.* not polite; rude. [1605-15; *lito*, *adv.* — *im-po-lite-ness*, *n.*

im-pol-i-tic (im'pōl'it'ik), *adj.* not politic, expedient, *im-pon-der-a-ble* (im'pon'dar'ə bal), *adj.* 1. not susceptible to precise measurement or evaluation. — *imponderable*. [1785-95; < ML] — *im-pon-der-a-bil*

im-port (v. im'pōrt', -pōrt', im'pōrt', -pōrt; *n.* im'pōrt to bring in from a foreign country or other source: to *im-resale*. 2. to bring or introduce from one use or con other: foodstuffs *imported from the farm*. 3. to mean words *imported a change of attitude*. 4. to involve as cumstance; imply. 5. Computers. to bring (documents, one application program from another. — *v.t.* 6. to be or importance; matter. — *n.* 7. something that is abroad. 8. the act of importing. 9. consequence; i meaning; implication: He *felt the import of her words*. ME < L *importare*. See *IM-*, *PORT*] — *im-port-a-ble*, *adj.* — *im-port-er*, *n.*

im-port-ance (im'pōrt'ans), *n.* 1. the quality or state tant; significance. 2. Obs. an important matter. 3. Obs. *im-port*; meaning. — *Syn.* IMPORTANCE, CONSEQUENCE

im-port-ant (im'pōrt'ant), *adj.* 1. of much or great consequence: an *important event in world history*. 2. distinction: *an important scientist*. 3. self-important. — *nate*. [1580-90; < ML *important*, s. of *importans*, p to be of consequence, weigh. L: to carry in, import; see *PORTANTLY*, *adv.* — *Usage*. Both *more important* and *more importantly* occur at the beginning of a sentence in all vari English: *More important (or More importantly), her i*

im-port-ant-ly, *adv.* — *Usage*. Both *more important* and *more importantly* occur at the beginning of a sentence in all vari English: *More important (or More importantly), her i*

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im-port

1283

posed of a parent, a stepparent, and a child or children by a previous marriage. [1965-70]

step-father (step/'fɑ:ðə), *n.* the husband of one's mother by a later marriage. [bef. 900]

steph·a·no·tis (stef'ə nō'tis), *n.* any vine belonging to the *Stephanotis*, of the milkweed family, having fragrant, waxy flowers and leathery leaves. [1865-70, *NI* - *St*]

adj.) fit for a crown, der. of *stēphanos* (masc.) 'crown' *Stēphanos* (stē'vən), *n.* 1. *Saint*, died A.D. c35, 'first Christian martyr'. 2. *Saint*, c975-1038, first king of Hungary, 997-1000.

Blount 1. John, 1664-1705, first king of Hungary, 997-1038. 2. Stephen, 1077-1154, king of England 1135-54. 3. Sir Leslie, 1832-1904, English critic, biographer, and philosopher (father of Virginia Woolf).

Ste-phen-son (stē'vən sən), *n.* 1. **George**, 1781-1848, English inventor and engineer. 2. his son Robert, 1803-59, English inventor.

step-in, *adj.* 1. (of garments, shoes, etc.) put on by being stepped into. — *n.* 2. **step-ins**, wide-leg panties for women. [1920-25]

step-ladder (step 'lad-ər), n. a ladder having flat steps in place of rungs, esp. one with a hinged frame opening up to form four support-
ing legs. [1745-55]

Step-mother (step'muth'ər), *n.* the wife of one's father by a later marriage. [bef. 900]

Step-ney (step'nē), *n.* a former borough of Greater London, England.

step-par-ent (step/'pâr-ent, -par/-); *n.* a stepfather or stepmother.
[1885-90] — **step-par-ent-ing**, *n.*

Steppes, the vast grasslands in the S and E European and W and SW Asian parts of Russia. [1665-75; < Russ *step'* or Ukrainian *step'*]

stepped-up, *adj.* increased; augmented; accelerated: a stepped-up fundraising campaign. [1900-05] **step-por** (step/ar), *n.* a person or animal that steps. [1875-1880]

step/ping stone/ or **step/ping stone/**; *n.* 1. a stone for stepping on in crossing a stream, marsh, etc. 2. any means or stage of advancement or improvement. [1275-1325]

step-sis *tor* (step/sis/tar), *n.* one's: stepfather's (or stepmother's) daughter by a previous marriage. [1400-50] *n.* 1955-1960

step-son (step/sun/), *n.* a son of one's husband (or wife) by a previous marriage. [1400-50] *n.* 1955-1960

step-stool (step'stool/), *n.* a low set of hinged steps folding into a stool
under a stool. [1945-50]

top-up, *adj.* 1. effecting an increase. 2. serving to increase voltage a step-up transformer. — *n.* 3. an increase or rise in rate or quantity.

step-wise (step/'wiz/), *adv.* 1. in a steplike arrangement. —*adj.* 2. *Music.* moving from one adjacent tone to another. [1885-91]

-ster, a suffix used in forming nouns, often derogatory, referring esp. to a occupation, habit, or association: *gamester*; *songster*; *truckster*. [ME, OE *-estre*; c. MD *-ster* MG *-(e)ster*]

ster·co·ra·ceous (stûr'kə rā'shəs) also ster·co·rous (stûr'kə rəs),

stercor- (*stēr*), *n.* consisting of, resembling, or pertaining to dung or feces. [1725-35; < L *stercor-*, s. of *stercus* dung + *-ACEOUS*]

ster-e-o (ster'ē ō', stēr'-), *n.*, *pl.* ster-e-os, *adj.* — *n.* 1. a system of equipment for reproducing stereophonic sound. 2. stereophonic sound.

equipment for reproducing stereophonic sound. 2. stereophonic sound reproduction. 3. stereoscopic photography. 4. a stereoscopic photograph. 5. STEREOTYPE (def. 1). —*adj.* 6. pertaining to stereophony or stereoscopic photography. [1815-25]

stereo-, a combining form meaning "solid," "solid body or figure," "three-dimensions": *stereochemistry*; *stereogram*; *stereoscope*. Also, esp.

ster-e-o-bate (ster/ē ə bāt', stēr'-), *n.* 1. the foundation or base upon which a building is erected. 2. the solid platform forming the

stereobatēs that which supports (see *stereobatēs*, page 1).

ster-e-o-chem-is-try (ster'ē ō kem'ə strē, stēr'-) *n.* the branch of chemistry that deals with the determination of the relative positions in

space of the atoms or groups of atoms in a compound and with the effects of these positions on the properties of the compound. [1885-0] —ster/e-o-chem/i-cal, *adj.*

er-o-o-gram (stēr'ē-ə gram', stēr'-), *n.* 1. a diagram or picture representing objects in a way to give the impression of solidity. 2. stereograph. [1865-70]

stere-o-graph (ster'é a graf', -gräf', stēr'-), *n.* a single or double picture for a stereoscope. [1855-60]

ar-e-og-ra-phy (ster'ē og'rā fē, stēr/-), *n.* 1. the art of delineating the forms of solid bodies on a plane: 2. a branch of solid geometry dealing with the construction of regularly defined solids. [1690-1700]

ster/e.o.graph/ik (-ə graf'ik, stēr'-), *adj.* — **ster/e.o.graph/i.cəl** (stēr'ē-ə graf'ik, stēr'-ē-ə), *adj.* — **ster/e.o.i.so.mar** (stēr'ē-ə i'sō-mar, stēr'-ē-ə), *n.* any of the stars or constellations in the zodiac.

stereoisomer (ster'ē-ō'ī-sō-mēr, ster'-), *n.* any of two or more isomers exhibiting stereoisomerism. [1895-1900] *ster'ē-ō'ī-sō-mēr'ik* (-mer'ik), *adj.*

stereo-isomerism (ster'ē ō ī som'ə riz'əm; stēr'ē), *n.* the isomerism ascribed to different relative positions of the atoms or groups of atoms in the molecules of organic compounds. [1890-95]

ster-e-o-l-o-gy (ster/ē ol'ə jē, stēr/-); *n.* a branch of science dealing

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

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